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Queen Anne's Counties

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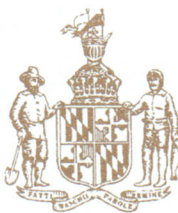
Joint Committee on the Chesapeake
and Atlantic Coastal Bays Critical Area

Joint Committee on
Health Care Delivery and Financing

Joint Information Technology
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Spending Affordability Committee

Joint Committee on Welfare Reform



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THE SENATE OF MARYLAND ANNAPOLIS, MARYLAND 21401

September 20, 2012

Dr. Craig Tanio, Chairman
Maryland Health Care Commission
4160 Patterson Avenue
Baltimore, MD 21215

RE: requested amendment of certificate of need procedural regulations

Dear Chairman Tanio,

Shore Health Systems, Inc. has recently submitted to the Maryland Health Care Commission (MHCC) an application for Certificate of Need (CON)¹ to replace Memorial Hospital of Easton (MHE) with a new facility. MHE is considered a “regional medical center”² and while Queen Anne’s and Caroline Counties are part of the region served by MHE, neither would explicitly qualify as an “interested party” under current MHCC regulations, although a commissioner serving as reviewer could grant “interested party” status under COMAR 10.24.01.01 B(2)d.

In order that the MHCC may ensure Middle Shore residents the most viable, cost-effective healthcare consistent with the State Health Plan, I urge the MHCC to amend its regulations governing “interested party” status in a manner that would directly allow the inclusion of Queen Anne’s and Caroline Counties in its consideration of Shore Health System’s application to relocate MHE.

Of Maryland’s 24 subdivisions, Queen Anne’s and Caroline are the only counties without an acute care general hospital within their respective jurisdictions.

Historically, MHE has been the provider of medical care for residents of the Middle Shore counties of Talbot, Queen Anne’s, and Caroline. According to Shore Health System’s application, “the majority of acute admissions to MHE come from outside of Talbot County.”³ Figure 1 in the application illustrates that the primary and secondary service areas for MHE for Calendar Year 2011 encompassed nearly all of Queen Anne’s and Caroline Counties.

¹ Docket #12-20-2339

² Application for Certificate of Need; Docket #12-20-2339, Pg. 18

³ Application for Certificate of Need; Docket #12-20-2339, Pg. 18

Demographic trends indicate that Talbot County's status as a minority of MHE admissions will not change. The Maryland Department of Planning estimates Queen Anne's population to grow by 41.7% from 47,798 in 2010 to 65,750 in 2040. Projections show Caroline to grow by 38.9% from 33,066 in 2010 to 45,950 in 2040. By comparison, Talbot's population rises by 16.5% from 37,782 to 44,000.⁴

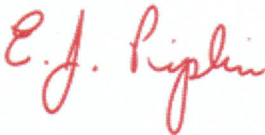
MHE's relocation and future viability depends upon patients from both Queen Anne's and Caroline Counties. Yet regulations on CON's for health care facilities provide a limited manner by which Queen Anne's or Caroline Counties could secure "interested party" status.

State regulation, at **10.24.01.01 B(20)** governs the method by which an entity can qualify as an interested party. Talbot County is recognized as its own planning region, excluding both Queen Anne's and Caroline County, so neither explicitly qualifies as an interested party by the definition at **B(20)d**. Under **B(20)e**, a reviewer would be left to assess the sufficiency of the Counties' claim that they would be adversely affected by the relocation of MHE.

With no acute care general hospitals within their jurisdictions, and because the majority of MHE admissions come from outside Talbot county, I ask that the Maryland Health Care Commission amend **10.24.01.01 B(20)** to expand the definition of "interested party" in such a manner that would include a jurisdiction that does not have an acute care general hospital, like Queen Anne's and Caroline, as an interested party in a project involving a hospital in an adjacent county, such as MHE's proposed relocation.

The health and well-being of Queen Anne's and Caroline Counties depends on their standing as interested parties in the relocation of MHE. Any decision made by the Commission relating to MHE extends beyond Talbot County, affecting both Queen Anne's and Caroline. The two counties should have a clear path to "Interested Party" status in this matter.

Sincerely,



E.J. Pipkin

cc: Ben Steffen
Paul Parker
Suellen Wideman

⁴ Historical and Projected Total Population for Maryland's Jurisdictions; MD Dept. of Planning; Revised March, 2012; http://planning.maryland.gov/msdc/popproj/Population_March27_2012.pdf